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March 29, 2023

BY ECF

Honorable Jennifer E. Willis
United States Magistrate Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *Hassab El Nabi v. Tocco, et al.*, 21 CV 3768 (LAK) (JW)

Your Honor:

I am plaintiff's former counsel. I write to respectfully and reluctantly respond to the letter filed earlier this afternoon at DE #57. If it should please the Court, the letter motion, styled as a motion for a conference and clarification, is nothing more than a belated effort to seek reconsideration of sound rulings issued almost two months ago. It should be denied.

The sequence of events is clear: Ms. Aboushi attended the February 9, 2023 hearing and heard the Court's rulings and its admonition that counsel should attempt, in light of those rulings, to resolve the lien. When those negotiations failed, the undersigned submitted a proposed briefing schedule and also ordered the transcript from the February 9th hearing to be used in support of our forthcoming motion. This apparently resulted in Ms. Aboushi's co-counsel learning the substance of the Court's findings at the hearing and filing the unauthorized submission at DE #57 in a tactical effort to muddy the waters and multiply this regrettable ancillary litigation. But the Court's instructions at the hearing could not have been clearer that the attorneys should work together to narrow and resolve this dispute, not expand it. For this reason, and because the unauthorized application is misleading, without color and untimely, it should be denied. To the extent it would assist Your Honor, the undersigned is prepared to submit such further substantive response as directed by the Court.

Thank you for your attention to this matter.

Respectfully submitted,



Gabriel P. Harvis

cc: All Counsel